

Handwritten initials: NUSA KKD

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 87 40

UNITED STATES OF AMERICA,
Plaintiff,

v.

Erika HERRERA

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

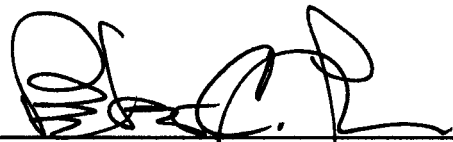
The undersigned complainant being duly sworn states:

That on or about August 15, 2008, within the Southern District of California, defendant Erika HERRERA did knowingly and intentionally import approximately 4.24 kilograms (9.328 pounds) of methamphetamine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th,
DAY OF August 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Felix Castaneda, declare under penalty of perjury, the following is true and correct:

On August 15, 2008, at approximately 0959 hours, Erika HERRERA was the sole occupant driver of a 2006 Chevrolet HHR LT as she entered the United States at the Calexico, California, West Port of Entry.

HERRERA gave Customs & Border Protection Officer M. Aguilar a negative Customs declaration. HERRERA stated she was driving her friend's vehicle. HERRERA stated her vehicle was in the repair shop. HERRERA and the vehicle were referred to secondary for further inspection.

In the vehicle secondary inspection area, HERRERA gave Officer Kjellberg a negative Customs declaration. HERRERA stated her friend owned the vehicle and she was enroute to work in El Centro, CA.

A canine alerted to the rear seat of the vehicle. A non-factory compartment was found behind the rear seat of the vehicle. Four (4) plastic bags were removed from the rear seat. The packages contained a white gravel like substance which field tested positive for methamphetamine. A total of 4.24 kilograms (9.32 pounds) of methamphetamine was discovered.

HERRERA was arrested in violation of 21 U.S.C. §§ 952 & 960, Importation of a Controlled Substance. HERRERA acknowledged and waived her Miranda Rights and admitted knowledge of smuggling narcotics in the vehicle. HERRERA stated she was going to be paid \$2,000.00 to cross the narcotics into the United States.

Executed on 08/15/08 @ 1700

Felix J. Castaneda

Felix Castaneda, Special Agent
U. S. Immigration & Customs
Enforcement

On the basis of the facts presented in this probable cause statement consisting of 1 page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on 08/15/08 in violation of 21 U.S.C. §§ 952 & 960.

Buckley L. Major
United States Magistrate Judge

8/15/08 at 5:53 PM
Date/Time